



**CONGRESSIONAL BUDGET OFFICE  
COST ESTIMATE**

March 19, 2012

**H.R. 3309  
Federal Communications Commission Process Reform Act of 2012**

*As ordered reported by the House Committee on Energy and Commerce on March 6, 2012*

H.R. 3309 would make a number of changes to procedures that the Federal Communications Commission (FCC) follows in its rulemaking process. The bill also would require the FCC to create a database, made available to the public, that contains information about complaints made by consumers.

The bill would require all notices of proposed rulemakings (NPRMs) to be preceded by a notice of inquiry and would require the agency to allow 60 days for public comment prior to issuing an NPRM. Currently, about one-third of the agency's NPRMs follow a notice of inquiry and the length of time allotted for public comment varies. H.R. 3309 also would require a broader review of any rules expected to have an economic impact greater than \$100 million and a determination that the benefits of such a rule justify its cost. Further, the bill would make changes to the timing and availability of certain reports proposed by the FCC.

Based on information from the FCC, CBO estimates that the agency would require 20 additional staff positions to handle the new rulemaking, reporting, and analysis activities required under the bill. CBO estimates that implementing the provisions of H.R. 3309 would cost \$26 million over the 2013-2017 period, assuming appropriation of the necessary amounts, for additional personnel and information technology expenses. Under current law, the FCC is authorized to collect fees sufficient to offset the cost of its regulatory activities each year; therefore, CBO estimates that the net cost to implement the provisions of H.R. 3309 would not be significant, assuming annual appropriation actions consistent with the agency's authorities. Enacting H.R. 3309 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

H.R. 3309 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

To the extent that the FCC would increase annual fee collections to offset the costs of its additional regulatory activities, the bill could impose a private-sector mandate on some commercial entities regulated by the FCC. Based on information from the FCC, CBO estimates that the cost of the mandate would be small, and fall well below the annual threshold established in UMRA for private-sector mandates (\$146 million in 2012, adjusted annually for inflation).

The CBO staff contact for this estimate is Susan Willie. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.